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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,500	03/14/2001	Jarmo Juhani Savolainen	032986-013	3615

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVW2-C-2
PLANO, TX 75024

EXAMINER

NGUYEN, JOSEPH D

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 08/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/808,500

Applicant(s)

SAVOLAINEN, JARMO JUHANI

Examiner

Joseph D Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) 10, 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 1.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 10, and 19 are objected to because of the following informalities: the phase "can be" is not a strong phase to use in claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 10,12-13, 15, 19, 21-22, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Reininghaus et al. (5898915).

Regarding claim 10, Reininghaus discloses a method of monitoring the chargeable activities of a user in a mobile telecommunications network (fig. 1, and abstract), the method comprising:

- monitoring at least one condition on which charging may be based (fig. 1, abstract, col. 1 lines 45-56, col. 2 lines 49-67 thru col. 3 lines 1-26);

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- normalizing the at least one monitored condition so that the condition(s) can be compared against a standard value, and used for calculating a charge (e.g., when the monitoring function assures is that the permitted call duration for every individual call is not exceeded, which mean the monitor is comparing the condition with the standard value), (fig. 1-2, col. 2 lines 49-67 thru col. 3 lines 1-8).

Regarding claim 12, Reininghaus further discloses steps of monitoring at least one condition and of normalizing the at least one monitored condition are carried out at the serving node for the user (col. 1 lines 46-56).

Regarding claim 13, Reininghaus further discloses mobile telecommunications network is a Global System for Mobile Communications (GSM) network and said serving node is a Mobile Switching Center (MSC) (fig. 1, col. 4 lines 49-67 thru col. 5 lines 1-29).

Regarding claim 15, Reininghaus further discloses the normalizing values are transferred from a charge control function of said network, or of another network to which the user is a subscriber, either upon initiation of a chargeable activity or prior to such initiation (col. 6 lines 44-64).

Regarding claim 19, Reininghaus discloses a node of a mobile telecommunications network, which serves one or more mobile users (abstract, fig. 1, and col. 1 lines 46-57), the node comprising:

- monitoring at least one condition on which charging may be based (fig. 1, abstract, col. 1 lines 45-56, col.2 lines 49-67 thru col. 3 lines 1-26);

- normalizing the at least one monitored condition so that the condition(s) can be compared against a standard value, and used for calculating a charge (e.g., when the monitoring function assures is that the permitted call duration for every individual call is not exceeded, which mean the monitor is comparing the condition with the standard value), (fig. 1-2, col. 2 lines 49-67 thru col. 3 lines 1-8).

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 12.

Regarding claim 22, this claim is rejected for the same reason as set forth in claim 13.

Regarding claim 24, this claim is rejected for the same reason as set forth in claim 15.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11, 14, 20, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reininghaus et al. (5898915) in view of Kari et al. (WO 97/26739).

Regarding claim 11, Reininghaus further discloses condition include limit calling

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time based (abstract, and col. 1 lines 46-57). However, Reininghaus does not specifically disclose the condition includes data transfer volume based condition.

Kari teaches condition include data transfer volume based condition (col. 8 lines 6-26). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Reininghaus system with Kari's teaching of data transfer volume based in order to calculate charge rate to customer use of service.

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 14, Reininghaus further discloses mobile telecommunications the network is a Global System for Mobile Communications (GSM) network (col. 5 lines 6-10). However, Reininghaus does not disclose a Serving General Packet Radio Service (GPRS) Support Node (SGSN).

Kari teaches mobile telecommunications the network is a Global System for Mobile Communications (GSM) network or a Serving General Packet Radio Service (GPRS) Support Node (SGSN) (fig. 1, col. 5 lines 29-35 thru col. 6 line 1). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Reininghaus system with Kari's teaching of GPRS, and SGSN are included in the mobile telecommunication network in order to monitor all conditions to calculate charge rate to customer use of service in voice and data transmission over mobile communication.

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 14.

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6. Claims 16, 18, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reininghaus et al. (5898915) in view of Hillis (5303297).

Regarding claim 16, Reininghaus further discloses a standard value in charging of mobile communication (col. 5 lines 58-67). However, Reininghaus does not specifically disclose a standard value is a cost limit up to which the user is authorized.

Hillis teaches a standard value is a cost limit up to which the user is authorized, and against which a monitored condition or combination of monitored conditions is compared, is transferred from said charge control function to said serving node (col. 6 lines 11-61), (e.g., when the billing computer recomputes the rate, and when the rate is changed, billing computer notifies the users of the new rate, and the users is accepted it, which means, normalized condition is compared with predetermined value in which the user is authorized). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Reininghaus system with Hillis's teaching in order to monitor all activities and notify users the new rate to help users control their usages.

Regarding claim 26, this claim is rejected for the same reason as set forth in claim 16.

Regarding claim 18, Reininghaus further discloses at least one normalized monitored condition is compared against predetermined value. However, Reininghaus does not specifically disclose predetermined value is cost limit up to which the user is authorized.

Hillis teaches at least one normalized monitored condition, or a combination of normalized monitored conditions, is compared against a predetermined value which defines a cost limit up to which the user is authorized, and, if the condition or combination of conditions reaches the predetermined value, the serving node sends an authorization request to a charge controlling node (col.6 lines 11-61), (e.g., when the billing computer recomputes the rate, and when the rate is changed, billing computer notifies the users of the new rate, and the users is accepted it, which means, normalized condition is compared with predetermined value in which the user is authorized). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Reininghaus system with Hillis's teaching in order to monitor all users activities to notify users the new rate, and let them decide to select service or not, which make customer happy.

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 18.

7. Claims 17, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reininghaus et al. (5898915) in view of Deakin (6463275).

Regarding claim 17, Reininghaus discloses user is a subscriber of a home GSM network and is roaming. However, Reininghaus dose not specifically disclose home GSM network is roaming in a foreign GSM network, and the normalizing value are transfer from the home network to the serving node of the foreign network using he Customized Applications for Mobile Network Enhanced Logic (CAMEL) protocol.

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Deakin teaches user is a subscriber of a home GSM network is roaming in a foreign GSM network, and the normalizing value are transfer from the home network to the serving node of the foreign network using he Customized Applications for Mobile Network Enhanced Logic (CAMEL) protocol (fig. 5, col. 3 lines 65-67 thru col. 4 lines 1-10). Therefore, it would have been obvious to one skilled in the art at the time of the invention was made to modify Reininghaus system with Deakin's teaching of roaming from home GSM to foreign GSM network using CAMEL in order to transfer user's profile to foreign GSM for calculating charge when user is initiate call.

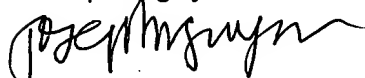
Regarding claim 26, this claim is rejected for the same reason as set forth in claim 17.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen



August 20, 2003



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600